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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/735,316	12/11/2003	Masaki Shimada	534101-9	2218

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EXAMINER

VO, THANH DUC

ART UNIT	PAPER NUMBER
2189	

DATE MAILED: 12/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 10/735,316	Applicant(s) SHIMADA ET AL.	
	Examiner Thanh D. Vo	Art Unit 2189	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 11 December 2003.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-8 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-8 is/are rejected.
- 7) ☒ Claim(s) 1 is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 12/11/2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

1. This Office Action is responsive to the Application filed on December 11, 2003 with a Foreign Priority Date as of December 18, 2002. Claims 3, 5, 6, and 8 have been amended. Claims 1-8 are presented for examination.

Claims 1-8 are pending.

No IDS has been filed in this application.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a) because they fail to show the label of each item number listed in Figures 1 and 2 as described in the specification. Any structural detail that is essential for a proper understanding of the disclosed invention should be shown in the drawing. MPEP § 608.02(d). Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top

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margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

3. Claim 1 objected to because of the following informalities:

The following paragraph is vague and not clearly pointed out the subject matter in the claim invention:

"said second control means stocks in said cache the electronic information which has been transmitted from said first control means and executes the first command in a stock order to record the electronic information on the second recording medium;"

Appropriate correction is required.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 1 provides for the use of "second command", but, since the claim does not set forth any steps involved in the method/process, it is unclear what method/process applicant is intending to encompass. A claim is indefinite where it merely recites a use without any active, positive steps delimiting how this use is actually practiced.

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5. Claim 1 is rejected under 35 U.S.C. 101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process, i.e., results in a claim which is not a proper process claim under 35 U.S.C. 101. See for example *Ex parte Dunki*, 153 USPQ 678 (Bd.App. 1967) and *Clinical Products, Ltd. v. Brenner*, 255 F. Supp. 131, 149 USPQ 475 (D.D.C. 1966).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims 1-8 rejected under 35 U.S.C. 103(a) as being unpatentable over Sono (U.S. Patent 5,829,044) in view of Mambakkam et al. (U.S. 2003/0041284).

As to claim 1, Sono substantially disclosed an information processing apparatus having a first insertion/removal portion capable of inserting/removing a first recording medium (See Fig. 1, item 18) and at least reading out electronic information from the inserted first recording medium, a second insertion/removal portion capable of inserting/removing a second recording medium (See Fig. 1, item 19) and reading out and writing electronic information from and in the inserted second recording medium, and an operating member (See Fig. 4, item 56) which is connected to the first and

second insertion/removal portions so as to be able to exchange electronic information and starts an operation of reading out electronic information recorded on the first recording medium and writing the electronic information in the second recording medium (See Summary, col. 4, lines 1-57, and col. 5, line 55 – col. 6, lines 5) , comprising:

first control (See Fig. 1, item 3) means for controlling the first insertion/removal portion;

second control (See Fig. 1, item 5) means for transferring information to said first control means via predetermined interface (See Fig. 1, item 2) means and controlling the second insertion/removal portion and said cache (See col. 4, lines 6-20);

wherein said first control means reads out electronic information from the first recording medium inserted in the first insertion/removal portion in accordance with an operation to the operating member (see col. 6, lines 27-37, and col. 18, claim 1) and transmits the read electronic information to said second control means together with a first command to request write of the read electronic information in the second recording medium (see col. 6, lines 39-50, and col. 18, claim 2);

said second control means reads in said cache the electronic information which has been transmitted from said first control means and executes the first command in a stock order to record the electronic information on the second recording medium;

said first control means transmits a second command different from the first command after transmitting all pieces of electronic information to be recorded to said second control means (see Fig. 6, and col. 7, lines 7-40), and said first control means

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determines that transfer of the pieces of electronic information from the first recording medium to the second recording medium has completed when a response to the second command is sent back from said second control means (see col. 9, lines 9-15).

Sono failed to disclose a **cache/buffer** to stock the electronic information to be written before the electronic information is written in the second recording medium.

Mambakkam et al. disclosed a method of buffering the electronic information to be written before the electronic information is written in the second recording medium. See col. 5, paragraph 0076.

Sono and Mambakkam et al. are analogous art because they are from the same field of endeavor, information-processing system. At the time of applicant's invention it would have been obvious to a person of ordinary skill in the art to modify the system of Sono to add the cache/buffer of the Mambakkam et al. to arrive at the invention in claim 1.

The motivation of implementing the cache/buffer is to enhance the speed of the data transmission since the source is not required to wait until the destination to finished writing in order for the source to send a new data. Therefore, it will speed up the process of transferring the data which is critical in the data processing technology.

As per claim 2, Sono disclosed an apparatus according to claim 1, further comprising expression means for expressing completion of transfer from the first recording medium to the second recording medium. See col. 9, lines 9-15.

As per claim 3, Sono disclosed an apparatus according to claim 1, wherein said expression means includes a display device, and expression operation includes transfer of a visual message to a user. See col. 4, lines 18-20.

As per claim 4, Sono disclosed an apparatus according to claim 3, wherein the display device includes a monitor which displays a message. See col. 4, lines 18-20.

As per claim 5, Sono failed to disclosed an apparatus according to claim 3, wherein the display device includes an LED.

Mambakkam et al. disclosed an apparatus wherein the displace includes an LED. See col. 6, paragraphs 0082 and 0083.

Sono and Mambakkam et al. are analogous art because they are from the same field of endeavor, information-processing system.

At the time of applicant's invention it would have been obvious to a person of ordinary skill in the art to modify the system of Sono to add an LED to arrive at the invention in claim 5.

The motivation of doing so is to enable the user to visually indicate the error or the system status in order to troubleshoot at the time of failure.

As per claim 6, Sono disclosed an apparatus according to claim 1, wherein said expression means includes a sound generating device (See Fig. 1, items 15-17), and

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expression operation includes transfer of an auditory message to a user. See col. 4, lines 28-31.

As per claim 7, Sono disclosed an apparatus according to claim 6, wherein the sound generating device includes a loudspeaker. See Fig. 1, item 17, and col. 4, lines 28-31.

As per claim 8, Sono failed to disclosed an apparatus according to claim 1, wherein removal of the second recording medium is permitted in accordance with an end of transfer from the first recording medium to the second recording medium.

It would have been obvious to a person of ordinary skill in the art at the time of applicant's invention to realize that the removal of a recording medium is permitted in accordance with an end of transfer of data from another source. The recording medium is a removable medium, which is most useful when the task is completed and the user can safely remove the medium to replace with another one or to be used on another system.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Thanh D. Vo whose telephone number is (571) 272-0708. The examiner can normally be reached on M-F 9AM-5:30PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Matthew Kim can be reached on (571) 272-4182. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

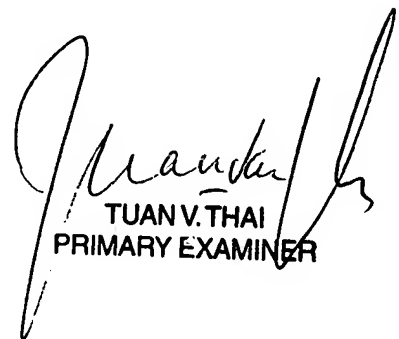
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Thanh D. Vo

Patent Examiner

12/08/2005



TUAN V. THAI
PRIMARY EXAMINER